

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 27, 2015**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM STEVE HOLLAND
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER BRUCE SCOTT
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER JOANN GORDON

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
PUBLIC WORKS DIRECTOR JAMES HATLEY
CODE COMPLIANCE OFFICER JUSTIN WOODALL
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
FIRE CHIEF RUSSELL SHELLEY
RECORDING SECRETARY SUSAN STEWART
CITY ATTORNEY BETSY ELAM

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, January 27, 2015 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

PWD Hatley delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

PWD Hatley led the Pledges of allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR

None.

5. CONSENT AGENDA ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND REQUIRE ONLY BRIEF DELIBERATION BY COUNCIL. COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION

- A. MINUTES OF JANUARY 13, 2015 COUNCIL MEETING
- B. BILLS PAYABLE FOR PERIOD ENDING JANUARY 27, 2015 (FY 2015)
- C. APPROVE 1ST QUARTER INVESTMENT REPORT (OCT. 1 THRU DEC. 31, 2014)
- D. APPROVE EDC 1ST QUARTER REPORT (OCT. 1 THRU DEC. 31, 2014)
- E. APPROVE CCPD 1ST QUARTER REPORT (OCT. 1 THRU DEC. 31, 2014)
- F. APPROVE STORM WATER FUND 1ST QTR REPORT (OCT. 1 THRU DEC. 31, 2014)

CM Gordon moved, seconded by CM Butler, to approve consent agenda items A through F. All voted "Aye."

6. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

None.

7. CONSIDER APPROVAL OF REQUEST BY NICKI MATTHEWS AT 411 HASSETT REQUESTING THAT THE DECEMBER WATER BILL BE ADJUSTED DUE TO A WATER LEAK IN ORDER TO AVERAGE NEXT YEAR'S SEWER RATES.

Nicki Matthews, 411 Hassett, explained that the water department had notified her that she had a leak and her water bill was abnormally high. Ms. Matthews hired a plumber who turned off the water and could not find a leak. Ms. Matthews stated that once the water was turned back on the leak indicator on the meter no longer indicated a leak. Ms. Matthews requested that this month be excluded from the winter sewer averaging due to the large consumption amount. Discussion occurred related to testing the meter for accuracy.

CM Ashton moved, seconded by CM Gordon, to use a different winter month besides December to calculate her annual sewer rate. All voted "Aye."

8. CONSIDER APPROVAL OF REQUEST BY JULIETA ESTRADA DE PEREZ REQUESTING TO SALE VALENTINE BASKETS AT 1415 ROBERTS CUT OFF RD. IN VIOLATION OF ARTICLE 4.05 "YARD SALES" UNDER PERSONAL PROPERTY.

Julieta Estrada, 1415 Roberts Cut Off, and her associate requested permission to sell Valentine's Day baskets at her residence on February 12, 13, and 14, 2015. Council Members expressed concern with making an exception and suggested Ms. Estrada get support of a local business that would allow her to set up on their commercial property. CM Ashton spoke in support of allowing Ms. Estrada to sell the baskets on her property.

CM Scott moved, seconded by CM Gordon, to deny the request. Mayor Pro Tem Holland, CM Butler, CM Scott, and CM Gordon voted "Aye." CM Ashton voted "Nay." Motion passed.

9. CONSIDER APPROVAL TO INSTALL HORIZONTAL HARDIE BOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT 5313 AMHERST AS REQUESTED BY MARIO GONZALEZ.

Mario Gonzalez, 5313 Amherst, requested to install Hardie board at his residence.

CM Butler moved, seconded by CM Ashton, to approve horizontal Hardie board at 5313 Amherst. All voted "Aye."

10. CONSIDER APPROVAL OF **RESOLUTION # 818-2015** CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 9, 2015; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

No discussion occurred.

CM Gordon moved, seconded by CM Scott to approve Resolution #818-2015. All voted "Aye."

10. PARA CONSIDERAR LA ABROBACION DE LA **RESOLUCION # 818-2015** CONVOCANDO A UNA ELECCION GENERAL QUE SE CELEBRARA EL 9 DE MAYO DEL 2015; PARA APROBAR UNA ELECCION CONJUNTA CON EL CONDADO TARRANT; Y ESTABLECIENDO LOS PROCEDIMIENTOS PARA TAL ELECCION; Y PROPORCIONANDO UNA FECHA EFECTIVA

No produjo ninguna discusión.

CM Gordon hizo la moción, secundada por CM Scott para aprobar Resolución # 818-2015. Todos votaron "Sí".

11. CONSIDER APPROVAL OF REQUEST TO COMPETITIVELY BID A SEWER LINE IMPROVEMENT PROJECT IN ORDER TO PIPE-BURST THE SEWER LINE IN THE 1100 BLOCK OF CHURCHILL RD.

CS Gregory presented the request to competitively bid the repair of the sewer line at a cost of approximately \$100,000. CS Gregory mentioned the Interlocal Purchasing System (TIPS) that offers inter-local competitive purchasing. It was decided to proceed with the bid while investigating the TIPS program to determine the best value for the project.

CM Gordon moved, seconded by CM Ashton, to approve the request to competitively bid a sewer line project in order to pipe-burst the sewer line in the 1100 Block of Churchill Road.

CM Gordon requested additional information be provided to the City Council on the TIPS program.

All voted "Aye."

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

12. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC INPUT ON THE 41ST YEAR (FY 2015) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

At 7:29 p.m. Mayor Earwood opened the public hearing.

PWD Hatley passed out questionnaires to all in attendance, for public input regarding the City's proposal for the 41st year CDBG Program.

The public hearing remained open until after agenda item # 15 in order for PWD Hatley to tabulate the results.

13. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **RESOLUTION # 819-2015** AUTHORIZING THE CITY SECRETARY TO SUBMIT THE 41ST YEAR CDBG PROJECT

SUBMITTAL FOR THE CITY OF RIVER OAKS TO TARRANT COUNTY COMMUNITY DEVELOPMENT.

Action was taken after agenda item # 15.

STAFF REPORTS:

14. STAFF REPORT ON SUBSTANDARD PROPERTIES:

Inspector Sanders gave updates on the following substandard properties:

- 604 FRONTIER – No change. Civil penalties continue to accrue.
- 933 CARONDOLET – Electrical inspection is scheduled. A Certificate of Occupancy should be obtained in the near future.
- 5008 SHERWOOD – Vacant property with civil penalties continuing to accrue.
- 4412 LAWRENCE – Council allow until January 22, 2015 to complete the certificate of occupancy. The required electrical permit has not been obtained. Staff will notify the owner and bring to Council if compliance is not met.
- 1121 CAMBRIDGE – Council had extended the requirement to obtain a certificate of occupancy and change the water account until May 25, 2015.
- 5516 N. SCHILDER – Building permit has expired. Plumbing and electrical permits have been approved. Must obtain a mechanical permit.
- 1709 LONG AVE. – No change. Will enforce with certificate of occupancy.
- 817 WALTER DR. – Substandard fee has been paid. New owner has an approved plan of action and active building permit. The roof has been repaired.
- 1202 BANKS – No change. Will enforce with certificate of occupancy.
- 5008 PENROD CT. – No change.

15. STAFF REPORT ON WATER SUPPLY UPDATE

CS Gregory showed a video related to the drought situation stating that it is anticipated that Stage 2 will be implemented by March 1, 2015. CS Gregory stated that conservation is the goal in helping to control the drought situation.

12. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE 41ST YEAR (FY 2015) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

The reported tabulations of the public questionnaires resulted in sewer lines ranking number 1, followed by water lines. Staff's recommendation for this year's project was in accordance with

the Sanitary Sewer Outreach (SSO) Initiative Agreement with TCEQ which mandates the City to renovate all deteriorated sewer lines. Staff recommended the replacement of the sewer line in the 5000 blocks of Sherwood and Hartford in the rear of the properties in the amount of approximately \$120,000. Staff anticipates CDBG funding in the amount of up to \$80,000 and an additional \$30,000 that was left over from FY 2013 and recommended the City pledge an additional \$10,000 to complete the project.

At 7:49 p.m. Mayor Earwood closed the public hearing.

13. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF RESOLUTION # 819-2015 AUTHORIZING THE CITY SECRETARY TO SUBMIT THE 41ST YEAR CDBG PROJECT SUBMITTAL FOR THE CITY OF RIVER OAKS TO TARRANT COUNTY COMMUNITY DEVELOPMENT.

CM Butler moved, seconded by CM Gordon, to approve Resolution #819-2015. All voted "Aye."

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

16. POLICE DEPT. MONTHLY ACTIVITY REPORT INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED

PC Carter compared the 2014 report to 2013: arrests decreased, offences remained the same – indicating that crime has not increased, accidents decreased, citations and violations increased.

17. FIRE DEPT. REPORT INCLUDING NUMBER OF CALLS FOR SERVICE

FC Shelley stated that two defibrillators have been serviced and given to the police department for use in the patrol cars.

FC Shelley stated that three people have obtained their certification for medical training and several others are in training.

FC Shelley gave an invitation to view the remodeled fire department as well as the shift calendar.

FC Shelley stated that the department should increase to 32-33 people.

Brief discussion occurred related to response time and mutual aid.

18. INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED

No discussion occurred.

19. LIBRARY ACTIVITY REPORT INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE

No discussion occurred.

20. **MUNICIPAL COURT INCLUDING COURT ACTIVITY FROM FINES, BONDS, WARRANT FEES, COURT TAXES, COURT FEES, ARREST FEES, COURT SECURITY FEES, COURT TECHNOLOGY FEES, PAYMENT PLANS, STATE COURT COSTS AND AGENCY COLLECTION FEES**

No discussion occurred.

21. **PUBLIC WORKS ACTIVITY REPORT INCLUDING ROAD REPAIRS COMPLETED, SIGNS INSTALLED, WATER PRODUCTION, WATER MAIN AND SERVICE LEAKS REPAIRED, NUMBER OF FIRE HYDRANTS AND DEAD END LINES FLUSHED, NUMBER OF SEWER OVERFLOWS AND STOPPAGES, CUBIC TONS OF SOLID WASTE COMPACTED AND PUBLIC WORKS EQUIPMENT REPAIRS**

No discussion occurred.

22. **PARK BOARD ACTIVITY REPORTS INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD**

No discussion occurred.

23. **COMMUNITY CENTER ACTIVITY REPORTS INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES**

No discussion occurred.

24. **CITY SECRETARY ACTIVITY REPORT INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX**

No discussion occurred.

25. **EDC ACTIVITY REPORT INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS**

No discussion occurred.

26. **STORM WATER TASK FORCE ACTIVITY REPORT INCLUDING ACTIONS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION**

No discussion occurred.

27. **EMERGENCY MANAGEMENT ACTIVITY REPORT INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING**

No discussion occurred.

No discussion occurred.

CS Gregory stated that five monthly reports are missing for this month and he will work with the correct department to supply monthly reports in the future.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

28. CONSIDER SCHEDULING OF A PLANNING WORK SESSION WITH THE CITY COUNCIL

Council discussed briefly and asked CS Gregory to schedule the workshop later.

PUBLIC FORUM:

29. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY NOTED ON THIS AGENDA, THE CITY COUNCIL IS REQUIRED UNDER THE TEXAS OPEN MEETINGS ACT TO LIMIT ITS RESPONSE WITH A STATEMENT OF SPECIFIC FACTUAL INFORMATION, RECITING THE CITY'S EXISTING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED.**

CS Gregory read correspondence of appreciation for staff members.

Mayor Earwood requested that staff prepare recognition of appreciation for the community luncheon volunteers.

CM Holland suggested a strategic planning meeting to discuss long-range plans for the City. Mayor Earwood mentioned updating the City Charter if necessary.

EXECUTIVE SESSION:

30. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSIONS(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- Section 551.071 Pending or contemplated litigation or to seek advice from attorney:
- Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate:
- Section 551.074 Personnel matters – To deliberate the appointment, employment, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a complaint or charge against an Officer or Employee.
- Section 551.076 Deliberation regarding security devices

RECONVENE:

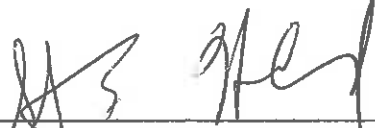
31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

32. ADJOURN

At 8:10 p.m. CM Gordon moved, seconded by Ashton, to adjourn the meeting. All voted "Aye."

APPROVED:



Steve Holland, Mayor Pro Tem

ATTEST:



Marvin Gregory, City Secretary